

9/26

17-003196



Santa Rosa Sheriff's Office
Sheriff Bob Johnson

SI18-046

CITIZEN COMPLAINT REPORT

Nature of Complaint: Re-open and Investigate Date of Incident: 03/31/2017

Location of Incident: Case 4401 Basswood Dr. Milton, FL

Member(s) Involved: Jonathan Moon Michelle Fox Crystal Wilson

Det Gary Baney, Lt. Scott Jones, Deputy Chief Spaulster

Complainant: Tina Patane Date of Birth: 12/28/1969

Address: 5444 Byron St.

Telephone #: 850-776-1336

Summary: It is the policy of the Santa Rosa County Sheriff's Office that all contacts with members of the public are done with fairness, equity and honesty.

On 03/31/2017, I found my son Nicholas Hendra deceased at his home. Det. Gary Baney resided over the case with CST Bonnie Parker and Medical Examiner Rene Ziegler.

My son Nicholas Hendra case was not properly investigated, my sons roommate was not interviewed until a month later, no questioning of the neighbors on scene due to Det Gary Baney and Rene Ziegler believing this to be a suicide.

Det Gary Baney has received many text messages from myself and my daughter Ashley McClure stating that the roommate did not go into the room where my sons body was laying.

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: Tina Patane

Printed name: Tina Patane

seal

Sworn to and subscribed before me this
26 day of Sept 2018.

T.P.

St. M. Soob 9/15/18
Notary Signature

Santa Rosa County Sheriff's Office

ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

but sent a text message in detail of the crime scene to a Crystal Wilson. Det Gary Barney has also received on many occasions from my daughter text messages from Michelle Fox the roommates wife. I also have stated to Detective Barney that Jonathan moon was extorting money from my son and Crystal Wilson starting a gofund me page to collect money off of his death. I have since hired a Private Investigator to look over the evidence and has made contact with people involved with this matter.

As my sons case proceeded on I went up the chain of command to speak with Det Gary Barney Lieutenant. St. Scott Jones and voiced my concern that the case was not being properly investigated and quickly and rudely rushed me off of the phone and said that his detective went thru proper protocol and was sorry about my son.

I then returned a call back to the Sheriffs office to speak with Chief Deputy Jim Spence. He also stated that he would look over the case which was less than 24 hrs and would speak to Det. Barney and he would call me back when I received the call the next day. He stated that Det. Gary Barney did his due diligence on my sons case.

Detective Gary Barney compromising the crime scene and Detective Gary Barney and other staff departing from finding out the truth and the gross lack of courtesy, professionalism and neglect of duty for my son and myself.

I would like my sons case be re-opened.

T.P. Tina Patane

Santa Rosa County Sheriff's Office

112.533 Receipt and processing of complaints.--

- (1) Every law enforcement agency and correctional agency shall establish and put into operation a system for the receipt, investigation, and determination of complaints received by such

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Santa Rosa County Sheriff's Office

agency from any person.

- (2) (a) A complaint filed against a law enforcement deputy or detention deputy with a law enforcement agency or correctional agency and all information obtained pursuant to the investigation by the agency of such complaint shall be confidential and exempt from the provisions of s. 119.07(1) until the investigation ceases to be active, or until the agency head or the agency head's designee provides written notice to the deputy who is the subject of the complaint, either personally or by mail, that the agency has either:

1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or
2. Concluded the investigation with a finding to proceed with disciplinary action or to file charges.

Notwithstanding the foregoing provisions, the deputy who is the subject of the complaint may review the complaint and all statements regardless of form made by the complainant and witnesses immediately prior to the beginning of the investigative interview. If a witness to a complaint is incarcerated in a correctional facility and may be under the supervision of, or have contact with, the deputy under investigation, only the names and written statements of the complainant and no incarcerated witnesses may be reviewed by the deputy under investigation immediately prior to the beginning of the investigative interview.

- (b) This subsection does not apply to any public record which is exempt from public disclosure pursuant to Fla. Stat. 119.07(3). For the purposes of this subsection, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.
- (c) Notwithstanding other provisions of this section, the complaint and information shall be available to law enforcement agencies, correctional agencies, and state attorneys in the conduct of a lawful criminal investigation.

(3) A law enforcement deputy or detention deputy has the right to review his or her official personnel file at any reasonable time under the supervision of the designated records custodian. A law enforcement deputy or detention deputy may attach to the file a concise statement in response to any items included in the file identified by the deputy as derogatory, and copies of such items must be made available to the deputy.

(4) Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the deputy under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in F.S.S. 775.082 or F.S.S. 775.083. However, this subsection does not limit a law enforcement or detention deputy's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

History.— F.S.S. 3, ch. 74-274; F.S.S. 3, ch. 82-156; F.S.S. 1, ch. 82-405; F.S.S. 1, ch. 83-136; F.S.S. 1, ch. 87-59; F.S.S. 2, ch. 89-223; F.S.S. 1, ch. 90-32; F.S.S. 31, ch. 90-360; F.S.S. 3, ch. 93-19; F.S.S. 722, ch. 95-147; F.S.S. 39, ch. 96-406; F.S.S. 2, ch. 98-249; F.S.S. 2, ch. 2000-184.

Jana Portene
T.P.

Santa Rosa County Sheriff's Office

Well, I must say that life really hasn't worked out like I thought it would. That is not just everyone else's fault, but my own as well. Honestly, my biggest faults, the biggest ways I let myself down, were with my money and my weight. I fell into such an extreme degree of dependency on eating to somehow cope with my shitty life, and that drained my money and it destroyed my health. Weighing 300 pounds is never excusable. I can barely look at that number and believe that I am actually carrying that around my body, it makes me sick. I hate my job, waking up and serving other people. Doing so much in a nasty store, with nasty customers and all for crap pay. Not to mention a boss that is just, a bitch. Sorry to use that word, but this is my last few words around here so I'll just express my self in honest fashion. I feel trapped, by myself, and by where I live. I feel trapped to be unhappy and I honestly can't stand it anymore. I guess I am happy for those who have the strength to carry on, I just don't. It really makes me sad and angry that I feel this is my only option to peace. Because I will miss out on seeing people and places that I really wanted to see. I wanted to have a life, a happy and simple one. I wanted a wife and a family. I just wanted to be happy. And I can't be. I've lost too much. I'm so far in my own pain and misery. Life seems too fake to me, and hopefully all there is left is peace away from existence. If my mom reads this, I want you to know that you were always my inspiration and I love you. I don't think you could have helped me. There was just too much mom. The best I want for you is to do your business and be happy. Tell Ashley I love her too, I'm sorry we didn't get along. I really wanted to, I just wish that we could've worked past whatever it was that kept her from wanting to be closer. And, to Dana and Hannah, you two really sealed for me so much of my doubts on my self worth. Confirming that I indeed meant nothing, ultimately, to anyone. How is it that someone can be devoted and loving and loyal to you for years and then you stab them in the back? How is that? I hope you fucking smile and laugh and enjoy every moment of your lives, and I want you to know, sincerely, you robbed me of my last strength and hope for happiness. Enjoy your life. I'm very sorry that I couldn't hold out long enough to maybe give myself one more good chance at all of this. I simply can't stomach lying to myself anymore, and that is what it really boils down to. I can't live anymore to just get to the next paycheck. I can't live to make it to just the next weekend. I can't live anymore, seeing other people get love and affection and not have it. Because I feel disgusting, unlovable, and I hate knowing that once, once, I actually meant something to someone, and now I am not even a thought to them anymore. I would do anything to have my cuddles after work again. I would do anything to have those kisses. I would do anything to hear someone say, "I love you, Nicholas." And mean it, and say it happily. I just can't do this anymore. Everyday I am alive, it is only because I managed to shove all this down far enough to be ok that day. I don't even know what it feels like to be happy anymore. I really don't remember that feeling. If I had any last hopes or wishes, it would be that Mom starts this business and that it becomes so successful that she could barely contain it and becomes some nationally famous chain for cleaning. I really think that's it. Haha Other than world peace, the end of Capitalism, the end of war. Writing this, I can assure you that there was no last minute prayer or issues of forgiveness. I go into my end as an Atheist, and I go with an open mind. I'm rooting for nothing, honestly. Just peace. If by some odds and ends means that there was something, I hope it is just restful, chill, and where I have no memory of this life or world. I will miss the honest and deep discussions and debates. I will miss reading. I will miss my chess games and I will miss sex. I will miss my family and my friends. But, I will not miss living. Because every moment is truly insufferable and my smile has long been gone. Don't be sad for me. Be happy. because hopefully I have now found my peace. You have my love. To all, good luck. Live to receive and give love, generously.